

Roll-over each item to see the answer)

THE FEDERAL FUNDING PROCESS

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[How does Congress exercise the power of the purse?](#)

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[A primary avenue for exercising Congress' power of the purse is the authorization and appropriation of federal spending to carry out government activities. While the power over appropriations is granted to Congress by the U.S. Constitution, the authorization-appropriation process is derived from House and Senate rules. The formal process consists of two sequential steps: \(1\) enactment of an authorization measure that may create or continue an agency or program as well as authorize the subsequent enactment of appropriations; and \(2\) enactment of appropriations to provide funds for the authorized agency or program.](#)

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[The authorizing and appropriating duties in this two-step process are carried out by a division of labor within the committee system. Legislative committees, such as the House Armed Services Committee, on which Congressman Akin serves, are responsible for authorizing legislation related to departments, agencies and programs under their jurisdiction. The Appropriations Committees of the House and Senate have jurisdiction over appropriations measures, and they fund these agencies and programs through 13 annual appropriations bills.](#)

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[What is an earmark and where can I find them?](#)

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[Surprisingly, there is not a single accepted definition of the term “earmark,” nor is there a standard earmark practice across all 13 appropriations bills. Technically, in a broad sense, under the House Rule XXI, clause 9, what constitutes an “earmark” includes: 1\) a spending earmark, 2\) a limited tax benefit, 2\) a limited tariff benefit. Accordingly, it is not surprising that the Congressional Quarterly's American Congressional Dictionary, states that under the broadest definition “virtually every appropriation is earmarked.”](#)

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In practice, however, earmarks are generally defined more narrowly, often reflecting procedures established over time that may differ from one appropriation bill to another. For one bill, an earmark may refer to a certain level of specificity within an account. For other bills, an earmark may refer to funds set aside within an account for individual projects, locations, or institutions. Regarding the latter use of the term, some of these earmarks are included in the text of appropriations measures, floor amendments, and conference reports to such measures. If enacted, these earmarks are legally binding.

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Most of these earmarks, however, are included in the Senate and House Appropriations Committees' reports. These earmarks are also frequently included in the managers' joint explanatory statement that accompanies the conference report. Committee reports and managers' statements do not have statutory force; departments and agencies are not legally bound by their declarations. These documents do, however, explain congressional intent and frequently have effect because departments and agencies must justify their budget requests annually to the Appropriations Committees.

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What is the process for funding an earmark?

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The 13 subcommittees of the Appropriations Committees of the House and Senate are each responsible for one of the regular appropriations acts. The regular appropriations acts provide budget authority for the next fiscal year, beginning October 1. As a part of this process, the House Appropriations Committee asks all Members of the House to submit, for consideration by the Committee, the requests they feel may be important for their district, state, and the United States. Only a small fraction of project requests the Appropriations Committee receives from Members will be funded. Typically, the year-long process follows this general outline:

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1. In early February localities in Missouri's Second District begin submitting their appropriations requests to Congressman Akin's office.

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2. Around mid-March, Congressman Akin's staff completes their analysis of whether these requests meet guidelines established by the Appropriations Committee, the likelihood of obtaining funding, the value of the project to the community as well as local support for the project and submit the prioritized requests to the Appropriations Committee.

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3. Throughout the year the 13 Appropriations Subcommittees review these requests and include a very small percentage of these earmarks in their appropriations measure. These measures are then considered by the House, Senate, a Conference Committee of both legislative bodies, and are signed into law by the President.

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If Members of Congress did not earmark bills, how would decisions regarding who received federal funding be made?

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If a bill is not earmarked or there are not instructions to the federal agencies as to how to spend the money allocated to a program or agency, then it is at the discretion of government bureaucrats at the agency or department to decide how the money will be spent. After funding has been appropriated and enacted into law, elected Members of Congress can offer suggestions but have no binding authority over how funds are used within the Administration.

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PRIORITIZING 2ND DISTRICT PROJECTS

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How does Congressman Akin know which are the important projects that need funding in his district?

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Congressman Akin relies on the elected officials in local governments of Missouri's Second Congressional District to collectively recommend the local projects that are most important to their communities. These localities are responsible for submitting proposals to Congressman Akin's office which detail the parameters of the project request, why that project request is important, and how that project request fits the requirements for federal funding. In addition, Congressman Akin considers some requests from private organizations that impact multiple communities, such as a local hospital or charitable organization. In these cases, the organization is required to demonstrate the support of the localities whose interests they are representing. Congressman Akin and his staff learn about each project to help prioritize them for the three counties Congressman Akin represents.

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What are the most common types of earmark requests that Congressman Akin receives?

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The largest number of requests come from counties, cities, and other public agencies seeking funds for roads, flood control, and other public infrastructure projects. Additionally, the office receives requests for defense-related projects. Local governments also frequently seek funding for community services, and economic revitalization programs.

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Are there earmark requests that Congressman Akin does not consider or submit to the Appropriations Committee?

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Yes. Our office initially evaluates earmark requests using the following general questions. If the answer to any of these questions is 'no', the funding request will not be submitted.

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1. Does this project meet the requirements of the federal program or account from which it is seeking funding?

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2. Is there significant local consensus that this project will benefit the locality or region, as demonstrated by its submission by the local governing authority such as a Board of Supervisors or a City Council?

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3. Will the House Appropriations Committee view this project as an appropriate use of federal resources?

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4. Does this project provide significant economic value to a locality or region?

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5. Does this project enhance the quality of life of a significant number of residents of the city, county, or region?

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6. Is money spent on this project an appropriate use of taxpayer's dollars?

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For example, if a city or county submits a request to help fund the construction of a local school, the project will not be submitted, even if it has local consensus and provides regional benefits, because there is no federal program for local school construction.

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Do the Appropriations Subcommittees limit the number of earmark requests that Congressman Akin may make of them?

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Depending on the fiscal year, some Subcommittees limit Members to only 3-5 requested projects. Others allow unlimited submissions. Congressman Akin frequently makes difficult decisions in order to submit the appropriations requests that best serve the people of the Second District.

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Can localities in Missouri's Second District submit requests for any project they deem important?

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No. Localities must choose projects that fit the requirements of currently authorized federal programs. Projects that do not meet these requirements or do not provide enough information to determine their eligibility are not considered and are not submitted for funding to the Appropriations Committee.

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Do all cities and counties in Missouri's Second District submit funding requests to Congressman Akin?

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No. All counties and cities in the Second District are invited to submit appropriations requests to Congressman Akin, but not all do so. Submitting requests require substantial preparation and most local projects do not meet requirements for federal funding.

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What are the current House Rules on the disclosure of earmarks?

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The House Rules adopted at the beginning of the 110th Congress included a provision that

requires Members who request earmarks to provide a written statement to the chairman and ranking member of the committee of jurisdiction of the bill that contains the following information:

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- the name of the Member;
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- the name and address of the intended recipient or if there is no intended recipient, the location of the activity;
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- the purpose of the earmark;
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- a certification that both the Member and the Member's spouse have no financial interest in the earmark.

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Each request must also be published on the Member's official website.

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